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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PENN ENGINEERING & MANUFACTURING  
CORP. and PEM MANAGEMENT, INC.,

Plaintiffs,

vs.

PENINSULA COMPONENTS, INC.,

Defendant.

Civil Action No. C07-04231-CRB

**STIPULATION SELECTING ADR  
PROCESS [ADR L.R. 3-5]**

**ADR CERTIFICATION**

**[PROPOSED] ORDER**

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5.

The parties stipulate to participate in the following ADR process:

**Court Processes:**

☐ Arbitration ☐ ENE ☐ Mediation

The parties agree to hold the ADR session by

☐ the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)

☐ other requested deadline

The parties believe it is important that the mediator be familiar with patent and trademark law.

**Private Process:**

☒ **Private ADR** (*mutually agreeable private mediator to conduct mediation after parties have engaged in document discovery*)

(*For e-filers, please consult General Order No. 45, Section X regarding signatures.*)

**Concurrence in the filing of this document has been obtained from all signatories**

Dated: 10/31/07 /s/ Melinda Morton  
Attorney for Plaintiff

Dated: 10/31/07 /s/ Andrew Weill  
Attorney for Defendant

**SIGNATURE AND CERTIFICATION BY PARTIES AND LEAD TRIAL COUNSEL**

Pursuant to Civ. L.R. 16 and ADR L.R. 3-5(b), the undersigned certifies that he or she has read either the handbook entitled “Dispute Resolution Procedures in the Northern District of California,” on the Court’s ADR Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by the Court and private entities, and considered whether this case might benefit from any of them.

Dated: 10/31/07

/s/  
Mark Petty for Plaintiff

**SIGNATURE AND CERTIFICATION BY PARTIES AND LEAD TRIAL COUNSEL**

Pursuant to Civ. L.R. 16 and ADR L.R. 3-5(b), the undersigned certifies that he or she has read either the handbook entitled “Dispute Resolution Procedures in the Northern District of California,” on the Court’s ADR Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by the Court and private entities, and considered whether this case might benefit from any of them.

Dated: 10/31/07

/s/

Mark C. Hansen, Counsel for Plaintiff

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Dated: 10/31/07

/s/

**William Gardiner for Defendant**

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Dated: 10/31/07

/s/

**Andrew Weill, Counsel for Defendant**

**[PROPOSED] ORDER**

Pursuant to the foregoing Stipulation Selecting ADR Process submitted by the parties, the captioned matter is hereby referred to mediation.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE